

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

IN RE:)	Case No. 16-32163
EARL BUFERD DAVIS)	S.S.# xxx-xx-3415
ASHLEY SALLY NICOLE DAVIS)	S.S.# xxx-xx-2510
Debtors.)	Chapter 7 Bankruptcy

TRUSTEE'S OBJECTION TO CLAIM FILED

Comes now Chapter 7 Trustee, Rebecca Hoyt Fischer, and objects to allowance of the following claim filed as Proof of Claim herein, to wit:

1. Claim No. 2-1 filed herein by La Porte Community Federal Credit Union, in the amount of \$6,937.33, as a secured claim, should be disallowed as a secured claim but allowed as a general unsecured claim for the reason that the Trustee has not come into possession of the 2008 Ford Edge listed as the collateral. The asset in this case is the debtor's non-exempt tax refund.

WHEREFORE, Chapter 7 Trustee, Rebecca Hoyt Fischer, objects to the foregoing Proof of Claim No. 2-1 filed herein, prays that the same be disallowed as a secured claim but allowed as a general unsecured claim, and requests all other just and proper relief in the premises.

Dated: February 26, 2018

/s/ Rebecca Hoyt Fischer
Rebecca Hoyt Fischer, Trustee
LADERER & FISCHER, P.C.
525 E. Colfax Ave., Unit 101
South Bend, IN 46617
Telephone: (574) 284-2354
Facsimile: (574) 284-2356

CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2018, a true and correct copy of the above and foregoing Objection was served electronically through the court's ECF system upon the following parties:

U.S. Trustee
USTPRegion10.SO.ECF@usdoj.gov

By email with return receipt transmission being received upon the following parties:

La Porte Community Federal Credit Union
elizabeth@laportecfcu.com

and by depositing same in the United States Mail, correct postage prepaid, upon the following parties:

EARL BUFERD DAVIS
433 JOHNSON RD.
MICHIGAN CITY, IN 46360

ASHLEY SALLY NICOLE DAVIS
433 JOHNSON RD.
MICHIGAN CITY, IN 46360

/s/ Rebecca H. Fischer
Rebecca Hoyt Fischer